



12/17/2013

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10 GROUP, INC.; KNOWLES SURGERY
11 CENTER, LLC, NATIONAL AMBULATORY
12 SURGERY CENTER, LLC, LOS ALTOS
13 SURGERY CENTER, LP, FOREST
14 AMBULATORY SURGICAL
15 ASSOCIATES, LP, and SOAR SURGERY
16 CENTER, LLC

17 **UNITED STATES DISTRICT COURT**

18 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

19 BAY AREA SURGICAL GROUP, INC.;
20 KNOWLES SURGERY CENTER, LLC;
21 NATIONAL AMBULATORY SURGERY
22 CENTER, LLC; LOS ALTOS SURGERY
23 CENTER, LP; FOREST AMBULATORY
24 SURGICAL ASSOCIATES, LP; SOAR
25 SURGERY CENTER, LLC,

26 Plaintiffs,

27 vs.

28 AETNA LIFE INSURANCE COMPANY, *et*
al.,

Defendants.

CASE NO. 13-CV-05430 EJD

**STIPULATION TO EXTEND TIME TO
RESPOND TO INITIAL COMPLAINT
(L.R. 6-1(a))**

Complaint Filed: November 22, 2013

Trial Date: None set

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1 Plaintiffs Bay Area Surgical Group, Inc., Knowles Surgery Center, LLC, National
2 Ambulatory Surgery Center, LLC, Los Altos Surgery Center, LP, Forest Ambulatory Surgical
3 Associates, LP, and SOAR Surgery Center, LLC (“Plaintiffs”) and Defendants VMware, Inc.,
4 VMware, Inc. Flexible Spending Account Plan, and VMware Group Health Plan (the “VMware
5 Defendants”), through their undersigned counsel of record, hereby stipulate to extend the date for
6 the VMware Defendants to answer or otherwise respond to Plaintiffs’ initial complaint (the
7 “Complaint”) in this matter as follows:

8 WHEREAS, the Complaint was filed on November 22, 2013;

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10 WHEREAS, the VMware Defendants were served with the Complaint by personal service
11 on November 25, 2013;

12 WHEREAS, the VMware Defendants’ deadline to answer or otherwise respond to the
13 Complaint is December 16, 2013;

14 WHEREAS, the VMware Defendants have requested an extension of time to answer or
15 otherwise respond to the Complaint;

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17 WHEREAS, Plaintiffs have agreed to extend the time for the VMware Defendants to
18 answer other otherwise respond to the Complaint until January 10, 2014;

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1 NOW THEREFORE, IT HEREBY IS STIPULATED by and between Plaintiffs and the
2 VMware Defendants, through their counsel of record, that the deadline for the VMware
3 Defendants to answer or otherwise respond to the Complaint shall be extended until **January 10,**
4 **2014.**

5 IT IS SO STIPULATED.

6
7 DATED: December ¹⁶~~12~~, 2013

HOOPER, LUNDY & BOOKMAN, P.C.

9
10 By: 

KATHERINE M. DRU

11 Attorneys for Plaintiffs BAY AREA SURGICAL GROUP,
12 INC.; KNOWLES SURGERY CENTER, LLC,
13 NATIONAL AMBULATORY SURGERY CENTER,
14 LLC, LOS ALTOS SURGERY CENTER, LP, FOREST
15 AMBULATORY SURGICAL ASSOCIATES, LP and
16 SOAR SURGERY CENTER, LLC

17 DATED: December ¹⁶~~12~~, 2013

VMWARE, INC.

18 By: 

CHARLES S. BIRENBAUM

19 Attorneys for Defendants VMWARE, INC.,
20 VMWARE, INC. FLEXIBLE SPENDING ACCOUNT
21 PLAN, and VMWARE GROUP HEALTH PLAN
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